

REMARKS

The Office Action of June 13, 2003 requires restriction of the claims between Group I, claims 1-7, directed to a method for preventing or treating actinic keratosis, and Group II, claims 8-14, directed to preventing or treating skin disorders other than actinic keratosis. Applicants hereby elect the claims of Group I, claims 1-7, for prosecution in the present application. This election is made without prejudice to Applicants' right to pursue the subject matter of non-elected claims 8-14 in an application filed pursuant to 35 USC § 120.

This election is made with traverse. Proper restriction requires not only that the claimed inventions be separate and distinct, but also that search of all of the claims impose an undue burden upon the Examiner. Applicants submit that no undue burden is placed upon the Examiner to search the claims of Group II in addition to the claims of Group I, in that both groups are classified in the same class and subclass.

The Examiner has also required an election of species for initial examination. Applicants elect the species of claim 3, O-(3-piperidino-2-hydroxy-1-propyl)nicotinic amidoxime, for initial examination. Applicants make this election with the understanding that, should this species be found patentable over prior art, the Examiner will proceed to examine further species with an eye toward determining patentability of the generic claims.

Claims 1-7 read upon the elected species.

Application No. 10/005,074

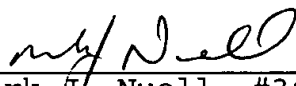
Applicants submit that the present application well-describes and claims patentable subject matter. Favorable action on the merits of the application is requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Mark J. Nuell (Reg. No. 36,623) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By 
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